

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

PABLO CABRERA,	)	
	)	
Plaintiff,	)	4:05CV3121
	)	
v.	)	
	)	
JANSSEN WILLIAMS, Dr., and	)	MEMORANDUM AND ORDER
CORRECTIONAL MEDICAL	)	
SERVICES,	)	
	)	
Defendants.	)	
_____	)	

Attorney Stefanie A. Martinez contacted the chambers of the undersigned magistrate judge on this date. She stated the plaintiff had contacted her over the weekend and had asked Ms. Martinez to represent him in this case. Ms. Martinez has not yet reviewed the plaintiff's file or determined if she is willing to represent the plaintiff. She requested that the plaintiff's deposition, currently set for today at 2:00 p.m., be continued until that determination is made. She stated that the plaintiff does not object to a continuance of his deposition. Ms. Martinez anticipates being able to review the case and decide whether she will represent the plaintiff within the next two weeks.

Stanton Beeder, counsel of record for defendants Willams and Correctional Medical Services, had been contacted by Ms. Martinez and was contacted by the undersigned chambers regarding the continuance of plaintiff's deposition. Mr. Beeder advised the court that the defendants would not object to a continuance of the plaintiff's deposition provided the deposition and dispositive motion deadlines of the scheduling order were likewise continued.

Ms. Martinez and Mr. Beeder were both verbally advised that the deposition of the plaintiff was continued, and that a written order would be entered. Ms. Martinez agreed to promptly contact the plaintiff at the Tecumseh State Prison and advise him of the deposition continuance.

IT THEREFORE HEREBY IS ORDERED:

1. The plaintiff's deposition, currently scheduled for November 5, 2007 at 2:00 p.m., is continued. The plaintiff's deposition will be re-scheduled upon further order of the court.
2. The court's progression order for this case, (filing no. 70), is stayed until further order of the court. An amended progression schedule will be entered after the court is notified concerning whether attorney Stefanie A. Martinez is willing to represent the plaintiff.
3. Attorney Stefanie A. Martinez is given until November 19, 2007 to either enter an appearance on behalf of the plaintiff or advise the chambers of the undersigned that she is unwilling to represent the plaintiff.
4. The clerk shall mail a copy of this order to the plaintiff, and to Stefanie A. Martinez, 300 South 19th Street, Suite 300, Omaha, NE 68102.
5. The Clerk of the court is directed to set a pro se case management deadline in this case using the following text: November 19, 2007—representation notification deadline/amended progression schedule required.

DATED this 5<sup>th</sup> day of November, 2007.

BY THE COURT:

s/ *David L. Piester*

United States Magistrate Judge